

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1039

Introduced by Assembly Member Frommer

February 22, 2005

An act to amend Section ~~25436~~ 5642 of the Public Resources Code, relating to ~~energy conservation~~ parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1039, as amended, Frommer. ~~Energy efficient refrigeration~~ Urban Park Act of 2001.

Existing law establishes the Urban Park Act of 2001, which requires the Department of Parks and Recreation to establish a local assistance program to offer grants, on a competitive basis, to various local entities and nonprofit organizations, as defined, for the acquisition or development, or both, of urban parks and recreational areas and facilities. For purposes of the act, the term, "facilities" is defined to include, but is not limited to, places for organized team sports, outdoor recreation, and informal turf play; nonmotorized recreational trails; permanent play structures; landscaping; places for passive recreation, enjoyment of scenic open space, nature appreciation and study, and outdoor education; multipurpose structures designed to meet the special recreational, educational, vocational, and social needs of youth, senior citizens, and other urban population groups; and infrastructure and other improvements that support these facilities.

This bill would revise that definition of "facilities" to also include community gardens.

~~Existing law requires the State Energy Resources Conservation and Development Commission to implement a Small Business Energy~~

~~Efficient Refrigeration Loan Program for qualifying small businesses to purchase and install energy efficient refrigeration equipment. Existing law requires that the program offer loans at 3% interest. Existing law allows the commission to enter into agreements with lending institutions and qualifying vendors to facilitate making and administering loans.~~

~~This bill make a technical, nonsubstantive change in these provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 25436 of the Public Resources Code is~~
2 ~~amended to read:~~

3 ~~SECTION 1. Section 5642 of the Public Resources Code is~~
4 ~~amended to read:~~

5 ~~5642. As used in this article, the following terms shall have~~
6 ~~the following meanings:~~

7 ~~(a) “City” means a city or a city and county.~~

8 ~~(b) “District” means a regional park district, regional park and~~
9 ~~open-space district, or regional open-space district formed~~
10 ~~pursuant to Article 3 (commencing with Section 5500) of~~
11 ~~Chapter 3, or a recreation and park district formed pursuant to~~
12 ~~Chapter 4 (commencing with Section 5780).~~

13 ~~(c) “Facilities” includes, but is not limited to, places for~~
14 ~~organized team sports, outdoor recreation, and informal turf play;~~
15 ~~nonmotorized recreational trails; permanent play structures;~~
16 ~~landscaping; *community gardens*; places for passive recreation,~~
17 ~~enjoyment of scenic open space, nature appreciation and study,~~
18 ~~and outdoor education; multipurpose structures designed to meet~~
19 ~~the special recreational, educational, vocational, and social needs~~
20 ~~of youth, senior citizens, and other urban population groups; and~~
21 ~~infrastructure and other improvements that support these~~
22 ~~facilities.~~

23 ~~(d) “Heavily urbanized county” means a county with a~~
24 ~~population of 500,000 or more, and a density of at least 1,100~~
25 ~~persons per square mile, based on the most recent verifiable~~
26 ~~census data.~~

1 (e) “Nonprofit organization” means any nonprofit public
2 benefit corporation formed pursuant to the Nonprofit Corporation
3 Law (Division 2 (commencing with Section 5000) of the
4 Corporations Code), qualified to do business in California,
5 qualified under Section 501(c)(3) of Title 26 of the United States
6 Code, and that has among its primary purposes the preservation,
7 protection, or enhancement of land or water resources in their
8 natural, scenic, historical, agricultural, forested, or open space
9 condition or use, or the provision of conservation and
10 environmental education and other recreational, vocational, and
11 educational services to urban youth.

12 ~~25436. (a) The commission shall implement a Small~~
13 ~~Business Energy Efficient Refrigeration Loan Program for~~
14 ~~qualifying small businesses to purchase and install energy~~
15 ~~efficient refrigeration equipment.~~

16 ~~(b) The program shall offer loans at 3 percent interest on terms~~
17 ~~that will ensure the small business owner will repay the loan over~~
18 ~~time in accordance with terms established by the Energy~~
19 ~~Commission, but in no event may the term exceed the useful life~~
20 ~~of the purchase.~~

21 ~~(c) The commission may enter into agreements with lending~~
22 ~~institutions and qualifying vendors to facilitate making and~~
23 ~~administering loans. Any loan made by the commission for the~~
24 ~~purchase of equipment shall be secured against the equipment~~
25 ~~purchased.~~